

## EXHIBIT C

**Subject:** Bocker Matter - March 23-24 Inspection  
**Date:** Wednesday, March 2, 2022 at 12:09:05 PM Eastern Standard Time  
**From:** Laurie Alberts Salita  
**To:** Mike Miska  
**CC:** Gallagher, Robyn E., Kenny, Michael Jr., kyamaguchi@kmazuckert.com, griddle@andersonriddle.com, jkiser@andersonriddle.com, pal@lopal.com, als@lopal.com, mbernstein@thesandersfirm.com, roche@litchfieldcavo.com, ricci@litchfieldcavo.com, tcascione@cpglawyers.com, Cynthia Devers, sdiorio@connellfoley.com, mcrowley@connellfoley.com, lschneider@tresslerllp.com, jdew@cohenkinne.com, chennessey@cohenkinne.com, toche@litchfieldcavo.com, Will Skinner, Mackenzie W. Smith, giuseppe.aguanno@mendes.com, abrooks@wilks.law, Vicki Greco, dsr@rutherfordchristie.com, fgw@browngavalas.com, Smith, Kevin  
**Attachments:** image001.jpg, image002.jpg, image003.jpg, image005.png, image006.png, image011.jpg, image012.png, image375719.png

Dear Mike, Thank you for your below email. But, as Continental's Motion to Dismiss remains pending in the New York action (thereby staying discovery in that case), and as the U.S. District Court for the District of Delaware has not yet ruled upon Continental's Motion to Dismiss, we cannot agree to the upcoming March 23-24 inspection.

Will plaintiffs agree to reschedule the same? We have more than a year to complete factual discovery in the Delaware case, and as you know, no deadlines have been set in the New York case. In other words, we have time, and we feel strongly that the various pending procedural issues should be resolved before the inspection occurs. Other parties with motions pending may feel similarly.

We will be happy to coordinate with our experts and provide alternative dates in the not-too-distant future. Please let me know if we can reach an agreement or if it will be necessary for Continental to seek court intervention in Delaware to prevent the inspection from moving forward over its objection. Many thanks,

**LAURIE ALBERTS SALITA**  
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**From:** Mike Miska <mmiska@airlaw.com>

**Date:** Wednesday, January 12, 2022 at 12:32 PM

**To:** Laurie Alberts Salita <salita@skinnerlawgroup.com>, Kevin Smith <KSmith@wiggin.com>, "fgw@browngavalas.com" <fgw@browngavalas.com>, "dsr@rutherfordchristie.com" <dsr@rutherfordchristie.com>

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**Subject:** RE: Bocker Matter - Dutchess Cty NY

Laurie:

Your participation in the inspection will not constitute waiver of your challenge to personal jurisdiction.

Very truly yours,

Mike Miska, Esq.  
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**From:** Laurie Alberts Salita <salita@skinnerlawgroup.com>

**Sent:** Monday, January 10, 2022 4:02 PM

**To:** Smith, Kevin <KSmith@wiggin.com>; Mike Miska <mmiska@airlaw.com>; fgw@browngavalas.com; dsr@rutherfordchristie.com

**Cc:** Gallagher, Robyn E. <RGallagher@wiggin.com>; Kenny, Michael Jr. <MKenny@wiggin.com>;

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**Subject:** Re: Bocker Matter - Dutchess Cty NY

Dear Mike, We understand that some parties may wish to proceed with an inspection, and in that regard, I can confirm that our experts are currently available on the March 21-24 dates provided by Textron subject to a few potential conditions/complications:

1. Like Textron, Continental requires written confirmation from all parties that its objections to personal jurisdiction in NY are not waived by such participation; and
2. If discovery in the NY and DE cases is stayed when March 21<sup>st</sup> arrives, Continental may object to moving forward and may seek alternative dates. In other words, by offering that Continental is currently free on March 21-24 dates, we do not necessarily consent to proceeding on those dates and/or waive any rights to object if discovery is stayed in both cases at that time.

Many thanks,

**LAURIE ALBERTS SALITA**  
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**From:** Kevin Smith <KSmith@wiggin.com>

**Date:** Monday, January 10, 2022 at 2:39 PM

**To:** Mike Miska <mmiska@airlaw.com>, "fgw@browngavalas.com" <fgw@browngavalas.com>, "dsr@rutherfordchristie.com" <dsr@rutherfordchristie.com>, Laurie Alberts Salita <salita@skinnerlawgroup.com>

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**Subject:** RE: Bocker Matter - Dutchess Cty NY

Mike:

Happy New Year. Unfortunately, the February dates do not work. Your email did not address whether or not your client is willing to agree that Textron's participation in an inspection would not waive its jurisdictional defense. We presume that you and all other parties are willing to so stipulate, but we need written confirmation. Also, as I think you know, the filing of the jurisdictional motion stays discovery in NY. Nonetheless, subject to other parties' views and ability, Textron could be available for an inspection March 21-24. Please let us know if we should hold those dates.

Kevin

**Kevin M. Smith**

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**From:** Mike Miska <[mmiska@airlaw.com](mailto:mmiska@airlaw.com)>

**Sent:** Thursday, December 30, 2021 3:55 PM

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**Cc:** Gallagher, Robyn E. <[RGallagher@wiggin.com](mailto:RGallagher@wiggin.com)>; Kenny, Michael Jr. <[MKenny@wiggin.com](mailto:MKenny@wiggin.com)>; [kyamaguchi@kmazuckert.com](mailto:kyamaguchi@kmazuckert.com); [griddle@andersonriddle.com](mailto:griddle@andersonriddle.com); [jkiser@andersonriddle.com](mailto:jkiser@andersonriddle.com); [pal@lopal.com](mailto:pal@lopal.com); [als@lopal.com](mailto:als@lopal.com); [mbernstein@thesandersfirm.com](mailto:mbernstein@thesandersfirm.com); [roche@litchfieldcavo.com](mailto:roche@litchfieldcavo.com); [ricci@litchfieldcavo.com](mailto:ricci@litchfieldcavo.com); [tcascione@cpglawyers.com](mailto:tcascione@cpglawyers.com); [cdevers@airlaw.com](mailto:cdevers@airlaw.com); [sdiorio@connellfoley.com](mailto:sdiorio@connellfoley.com); [mcrowley@connellfoley.com](mailto:mcrowley@connellfoley.com); [lschneider@tresslerllp.com](mailto:lschneider@tresslerllp.com); [jdew@cohenkinne.com](mailto:jdew@cohenkinne.com); [chennessy@cohenkinne.com](mailto:chennessy@cohenkinne.com); [toche@litchfieldcavo.com](mailto:toche@litchfieldcavo.com); [skinner@skinnerlawgroup.com](mailto:skinner@skinnerlawgroup.com); [smith@skinnerlawgroup.com](mailto:smith@skinnerlawgroup.com); [giuseppe.aguanno@mendes.com](mailto:giuseppe.aguanno@mendes.com); [abrooks@wilks.law](mailto:abrooks@wilks.law); [vgreco@airlaw.com](mailto:vgreco@airlaw.com)

**Subject:** RE: Bocker Matter - Dutchess Cty NY

Kevin:

We would like to proceed with the inspection. Can you advise if the February dates are acceptable?

Thank you,

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**From:** Smith, Kevin <[KSmith@wiggin.com](mailto:KSmith@wiggin.com)>  
**Sent:** Tuesday, December 21, 2021 9:04 AM  
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**Subject:** RE: Bocker Matter - Dutchess Cty NY

p.s. All, please also include my colleague Robyn Gallagher, copied here, on future correspondence. Thank you.

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**From:** Smith, Kevin <[KSmith@wiggin.com](mailto:KSmith@wiggin.com)>  
**Sent:** Monday, December 20, 2021 8:56 PM  
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**Subject:** RE: Bocker Matter - Dutchess Cty NY

Mike,

Thank you for reaching out. Textron also objects to moving forward with the inspection while the motions to dismiss are pending. That said, Textron may be willing to proceed in February (we are not available in January) assuming all parties acknowledge and agree, in writing, that Textron would not be waiving its personal jurisdiction objection by participating in a wreckage inspection. Assuming that all parties will consent that participation is not a waiver, Textron is investigating the feasibility of the proposed February dates and will revert.

Kevin

**Kevin M. Smith**

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**From:** Mike Miska <[mmiska@airlaw.com](mailto:mmiska@airlaw.com)>

**Sent:** Thursday, December 16, 2021 4:19 PM

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**Subject:** RE: Bocker Matter - Dutchess Cty NY

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Thank you, Fred. If possible I'd like to keep the original dates. We will try and amass the responses we receive and settle upon the most convenient date. Our hope in noticing January was that it would give ample advance notice.

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**From:** Fred G. Wexler <[fgw@browngavalas.com](mailto:fgw@browngavalas.com)>  
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**Subject:** RE: Bocker Matter - Dutchess Cty NY

Mike,

We are not available on February 9 and 10, but can be available February 15 through 18 subject to our expert's availability.

Fred

Fred G. Wexler  
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**From:** David S. Rutherford <[dsr@rutherfordchristie.com](mailto:dsr@rutherfordchristie.com)>



**Sent:** Thursday, December 16, 2021 3:46 PM

**To:** Mike Miska <[mmiska@airlaw.com](mailto:mmiska@airlaw.com)>; 'Laurie Alberts Salita' <[salita@skinnerlawgroup.com](mailto:salita@skinnerlawgroup.com)>

**Cc:** [jshupe@schnader.com](mailto:jshupe@schnader.com); [rwilliams@schnader.com](mailto:rwilliams@schnader.com); [lschmeer@schnader.com](mailto:lschmeer@schnader.com); [mkenney@wiggin.com](mailto:mkenney@wiggin.com); [ksmith@wiggin.com](mailto:ksmith@wiggin.com); [kyamaguchi@kmazuckert.com](mailto:kyamaguchi@kmazuckert.com); [griddle@andersonriddle.com](mailto:griddle@andersonriddle.com); [jkiser@andersonriddle.com](mailto:jkiser@andersonriddle.com); [pal@lopal.com](mailto:pal@lopal.com); [als@lopal.com](mailto:als@lopal.com); [mbernstein@thesandersfirm.com](mailto:mbernstein@thesandersfirm.com); [roche@litchfieldcavo.com](mailto:roche@litchfieldcavo.com); [ricci@litchfieldcavo.com](mailto:ricci@litchfieldcavo.com); [tcascione@cpglawyers.com](mailto:tcascione@cpglawyers.com); Cynthia Devers <[cdevers@airlaw.com](mailto:cdevers@airlaw.com)>; [sdiorio@connellfoley.com](mailto:sdiorio@connellfoley.com); [mcrowley@connellfoley.com](mailto:mcrowley@connellfoley.com); [lschneider@tresslerllp.com](mailto:lschneider@tresslerllp.com); [jdew@cohenkinne.com](mailto:jdew@cohenkinne.com); [chennessy@cohenkinne.com](mailto:chennessy@cohenkinne.com); Fred G. Wexler <[fgw@browngavalas.com](mailto:fgw@browngavalas.com)>; [toche@litchfieldcavo.com](mailto:toche@litchfieldcavo.com); Will Skinner <[skinner@skinnerlawgroup.com](mailto:skinner@skinnerlawgroup.com)>; Mackenzie W. Smith <[smith@skinnerlawgroup.com](mailto:smith@skinnerlawgroup.com)>; Aguanno, Giuseppe <[Giuseppe.Aguanno@mendes.com](mailto:Giuseppe.Aguanno@mendes.com)>; Andrea Brooks <[abrooks@wilks.law](mailto:abrooks@wilks.law)>

**Subject:** RE: Bocker Matter - Dutchess Cty NY

Both the January dates and the February dates work for Berkshire.

**From:** Mike Miska <[mmiska@airlaw.com](mailto:mmiska@airlaw.com)>

**Sent:** Thursday, December 16, 2021 3:35 PM

**To:** 'Laurie Alberts Salita' <[salita@skinnerlawgroup.com](mailto:salita@skinnerlawgroup.com)>

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**Subject:** RE: Bocker Matter - Dutchess Cty NY

Laurie:

Thank you for your email. As you know our office is always willing to accommodate scheduling issues, but I am not willing to cancel an inspection without alternative dates in place. Moreover, regardless of the delay you hope to gain through your personal jurisdiction challenge in New York, Continental remains a defendant in Delaware action, and I see no reason for delaying this unnecessarily.

With that said, would Feb. 9-10 work in lieu of Jan 17-18?

If any of the parties desire to attend remotely, we will work with ATS to make those arrangements.

Very truly yours,

Mike Miska, Esq.  
THE WOLK LAW FIRM  
1710-12 Locust Street  
Philadelphia, PA 19103  
[mmiska@airlaw.com](mailto:mmiska@airlaw.com)  
p: 215.545.4220  
f: 215.545.5252



**From:** Laurie Alberts Salita <[salita@skinnerlawgroup.com](mailto:salita@skinnerlawgroup.com)>  
**Sent:** Monday, December 13, 2021 4:37 PM  
**To:** Mike Miska <[mmiska@airlaw.com](mailto:mmiska@airlaw.com)>  
**Cc:** [jshupe@schnader.com](mailto:jshupe@schnader.com); [rwilliams@schnader.com](mailto:rwilliams@schnader.com); [lschmeer@schnader.com](mailto:lschmeer@schnader.com); [mkenney@wiggin.com](mailto:mkenney@wiggin.com); [ksmith@wiggin.com](mailto:ksmith@wiggin.com); [kyamaguchi@kmazuckert.com](mailto:kyamaguchi@kmazuckert.com); [griddle@andersonriddle.com](mailto:griddle@andersonriddle.com); [jkiser@andersonriddle.com](mailto:jkiser@andersonriddle.com); [pal@lopal.com](mailto:pal@lopal.com); [als@lopal.com](mailto:als@lopal.com); [mbernstein@thesandersfirm.com](mailto:mbernstein@thesandersfirm.com); [roche@litchfieldcavo.com](mailto:roche@litchfieldcavo.com); [ricci@litchfieldcavo.com](mailto:ricci@litchfieldcavo.com); [tcascione@cpglawyers.com](mailto:tcascione@cpglawyers.com); Cynthia Devers <[cdevers@airlaw.com](mailto:cdevers@airlaw.com)>; [sdiorio@connellfoley.com](mailto:sdiorio@connellfoley.com); [mcrowley@connellfoley.com](mailto:mcrowley@connellfoley.com); [lschneider@tresslerllp.com](mailto:lschneider@tresslerllp.com); [jdew@cohenkinne.com](mailto:jdew@cohenkinne.com); [chennessy@cohenkinne.com](mailto:chennessy@cohenkinne.com); [dsr@rutherfordchristie.com](mailto:dsr@rutherfordchristie.com); [fgw@browngavalas.com](mailto:fgw@browngavalas.com); [toche@litchfieldcavo.com](mailto:toche@litchfieldcavo.com); Will Skinner <[skinner@skinnerlawgroup.com](mailto:skinner@skinnerlawgroup.com)>; Mackenzie W. Smith <[smith@skinnerlawgroup.com](mailto:smith@skinnerlawgroup.com)>; Aguanno, Giuseppe <[Giuseppe.Aguanno@mendes.com](mailto:Giuseppe.Aguanno@mendes.com)>; Andrea Brooks <[abrooks@wilks.law](mailto:abrooks@wilks.law)>  
**Subject:** Bocker Matter - Dutchess Cty NY

Dear Mike – please see the attached correspondence.

And, by copy to all counsel, we look forward to working with everyone. If you happen to notice that we have inadvertently omitted anyone involved in the pending NY lawsuits from the distribution list, please feel free to let me know, and I will promptly correct the same.

Have a good evening,

**LAURIE ALBERTS SALITA**  
**PHILADELPHIA**  
101 Lindenwood Drive, Suite 225  
Malvern, PA, 19355  
[484.875.3159](tel:484.875.3159) *direct*  
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